IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

TUESDAY, THE 25TH JULY 2006 / 3RD SRAVANA 1928

Bail Appl..No. 4266 of 2006

(CRIME NO.87/2006 OF PANDIKKAD POLICE STATION)

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PETITIONERS/ACCUSED

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1. KADUNGAN, S/O.KUNHAN,
   POOCHAPARAMMEL HOUSE, KIDANGAYAM,
   PANTHALLUR, MALAPPURAM DISTRICT.

2. KUNHAN, S/O.KADUNGAN,
   POOCHAPARAMMEL HOUSE, KIDANGAYAM,
   PANTHALLUR, MALAPPURAM DISTRICT.

3. MURALEEDHARAN, S/O.KADUNGAN,
   POOCHAPARAMMEL HOUSE, KIDANGAYAM,
   PANTHALLUR, MALAPPURAM DISTRICT.

BY ADV. SRI.BABU S. NAIR

RESPONDENTS: STATE

THE STATE OF KERALA, REPRESENTED
BY THE CIRCLE INSPECTOR OF POLICE,
PANDIKKAD POLICE STATION-THROUGH THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM, KOCHI-31.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 25/07/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 4266/2006

DATED THIS THE 25TH DAY OF JULY, 2006

O R D E R

The petitioners are accused in crime No.87/2006 of Pandikkad Police Station, the offence alleged against them being under Sections 341, 324 and 302 IPC read with Section 34 IPC. The petitioners were arrested on 25.5.2006, and they remain in judicial custody. Hence this application, under Section 439 Cr.P.C.

2. I heard both sides. The investigation, in respect of the petitioners, are nearly complete. In the facts and circumstances of this case, I find that the continued judicial detention of the petitioners are not necessary. Therefore, I grant bail and release the petitioners from jail, subject to the following conditions:-

> (a). Each petitioner shall execute a bond for Rs.25,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the Judicial Magistrate of First Class-II, Perinthalmanna.

(b). The petitioners shall report before the investigating officer, once in a week, on every Friday, between 10.00 a.m and 11.00 a.m., for a period of three months, starting from 28.7.2006, and thereafter, on the first working day of every month, till the final report is filed by the investigating officer, before the Court below.

(c). The petitioners shall not threaten or influence the witnesses, or cause any hindrance to further investigation of the case or for the smooth conduct of the prosecution.

(d). The petitioners shall not leave the State of Kerala, till the final trial and disposal of the case.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs